

HOLLAND & HART LLP
9555 HILLWOOD DRIVE, 2ND FLOOR
LAS VEGAS, NV 89134

Robert J. Cassity
Nevada Bar No. 9779
HOLLAND & HART LLP
9555 Hillwood Drive, 2nd Floor
Las Vegas, Nevada 89134
Telephone: (702) 669-4600
Facsimile: (702) 669-4650
bcassity@hollandhart.com

Kyle B. Fleming (*pro hac vice*)
RENNER OTTO
1621 Euclid Avenue, Floor 19
Cleveland, Ohio 44115
kfleming@rennerotto.com
Telephone: (216) 621-1113
Facsimile: (216) 621-6165

Attorneys for Plaintiff

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

PERITAS BRANDS, LLC,

Plaintiff,

v.

LEAPHIGH ANIMALS, LLC,

Defendant.

Case No. 2:23-cv-00483-GMN-DJA

**STIPULATION TO EXTEND
DEADLINE FOR PLAINTIFF TO FILE
ITS RESPONSE TO DEFENDANT'S
MOTION TO DISMISS THE
REMAINING PATENT CLAIMS
(THIRD AND SIXTH) OF PLAINTIFF'S
AMENDED COMPLAINT (ECF 16) FOR
LACK OF SUBJECT MATTER
JURISDICTION (ECF 55)**

(First Request)

Plaintiff, PERITAS BRANDS, LLC ("Plaintiff" or "Peritas"), and Defendant, LEAPHIGH ANIMALS, LLC, ("Defendant" or "Leaphigh") by and through their respective counsel, hereby stipulate and agree as follows:

1. On December 2, 2023, Defendant filed a Motion to Dismiss the Remaining Patent Claims (Third and Sixth) of Plaintiff's Amended Complaint (ECF 16) for Lack of Subject Matter Jurisdiction. *See* ECF 55.

2. The parties stipulate and agree to extend the deadline for Plaintiff to file its Response to Defendant's Motion to Dismiss the Remaining Patent Claims (Third and Sixth) of Plaintiff's Amended Complaint (ECF 16) for Lack of Subject Matter Jurisdiction (ECF 55) shall be extended for a period of 10 calendar days from December 18, 2023, to December 28, 2023.

3. The parties' request for an extension for Plaintiff's Response brief is necessitated due to Plaintiff's counsel's schedule given the opening claim construction brief in this matter currently due on December 15, 2023, and the need for additional time to prepare Plaintiff's Response to Defendant's Motion to Dismiss.

4. The parties respectfully submit that their request is made in good faith and good cause exists to grant the requested extension.

DATED: December 13, 2023.

DATED: December 13, 2023.

HOLLAND & HART LLP

WEIDE & MILLER, LTD.

/s/ Robert J. Cassity

/s/ F. Christopher Austin, Esq.

Robert J. Cassity (NV 9779)
bcassity@hollandhart.com
9555 Hillwood Drive, 2nd Floor
Las Vegas, NV 89134
Kyle B. Fleming (*pro hac vice*)
Kfleming@rennerotto.com

F. Christopher Austin, Esq. (NV 6559)
caustin@weidemiller.com
R. Scott Weide (NV5541)
sweide@weidemiller.com
10655 Park Run Drive, Suite 100
Las Vegas, NV 89144
(702) 382-4804

RENNER OTTO

1621 Euclid Avenue, Floor 19
Cleveland, Ohio 44115

Attorneys for Defendant Leaphigh Animals, LLC

Attorneys for Plaintiff Peritas Brands, LLC

ORDER

IT IS SO ORDERED.



U.S. DISTRICT JUDGE

Dated: December 13, 2023

31071068_v1

HOLLAND & HART LLP
9555 HILLWOOD DRIVE, 2ND FLOOR
LAS VEGAS, NV 89134